

# **LAFAYETTE PARK**

# **REDEVELOPMENT PLAN**

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**DRAFT AMENDMENTS, JUNE 2016**

**DRAFT**

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## I) INTRODUCTION AND BOUNDARIES

The Lafayette Park Redevelopment Plan is an area located south of downtown, east of the Palisades foothills, west of what is now Liberty State Park, and historically defined by the Morris Canal. The Canal, which provided the access to the Hudson and Hackensack Rivers, gave rise to industrial uses and supporting residential housing in this low-lying area, much of which was built on historic fill.

The Lafayette Park Redevelopment Plan was first adopted in March 1979, covering a roughly 35 acre area centered around the intersection of Johnston and Pacific Avenues and be comprised of Tax Blocks 17501, 17506, 19001, 17403, 15602, 17402, 15603, 15601 (partial), 17401, 15501 (partial), 15503, and 15502.

At the time of the Plan's original adoption, Lafayette's historic pattern of mixed industrial and residential uses – which dated back to at least the 1930s and had persisted through the late 1960s – had largely disappeared from the Redevelopment Area. Large tracts of vacant land interspersed with a few large industrial complexes formed the southern border of the “tower in the park”- style Jersey City Housing Authority housing project in between Grand Street and Carbon Street. By 1987, the remaining residential and even industrial structures had been almost entirely razed, leaving some tax blocks completely empty.

From 1992-1995, the area's most significant development since the Plan's adoption took place—the multi-phased construction of a major affordable housing project by JP Affordable Housing Holding Company. The development, which remains largely intact as of 2016, consists of two-story, semi-detached two-family houses on lots ranging from 3,000 to 4,000 square feet. The majority of these lots include an alley easement to access rear yard parking, although these alleys were never dedicated to the city and maintenance remains the responsibility of the property owners. While the project was in line with the original Redevelopment Plan goals of promoting home ownership and recovering vacant land for productive use, it also created a suburban, car-oriented development pattern with low walkability and few opportunities for small business.

The Redevelopment Area's other major development—the Lafayette Village Apartments— broke ground in the early 2000s. Located in the triangle bordered by Woodward Street, Grand Street and Johnston Avenue, the project consists of two-story 124 townhouse units, including 77 public housing units, financed through the US Department of Housing and Urban Development HOPE VI Program and New Jersey Low Income Housing Tax Credits.

Jersey City has seen a major urban recovery that has expanded transit and economic opportunities in many areas of the city since the Plan's adoption and the construction of most of Lafayette Park's existing housing stock. In Lafayette, this was reflected in the opening of the Liberty State Park light rail station in 2001 and the return of the demand for ground-floor retail along historic commercial corridors.

However, the City has also become more aware of the geographical risk of its waterfront location, particularly in the aftermath of Superstorm Sandy. As the neighborhood currently exists, flooding is a significant concern. Almost the entire Redevelopment Area, particularly outside of Lafayette Village, is located in an area of high risk for both storm surge and stormwater flooding (FEMA Zone AE, EL 9 feet; SLOSH Category 1 3-6 feet flood zone). This risk will only increase with climate change-driven sea level rise, and must be taken into account by future developments as well as rehabilitations within the area.

The 2016 amendments to the Lafayette Park Redevelopment Plan seek to build on the significant advances in transit and residential development that the area has seen since 1979, enhancing the area's livability and resiliency and allowing for infill development to provide modern housing types and amenities like ground-floor retail along growing commercial corridors. These changes will allow the neighborhood to become more walkable and transit-friendly while expanding opportunity for small business development and local employment, laying the foundations for a resilient and economically vibrant mixed-use area.

## II) REDEVELOPMENT PLAN GOALS AND OBJECTIVES

Renewal activities of the Lafayette Park I Study Area will be undertaken in conformity with, and will be designed to meet, the following goals and objectives the Redevelopment Plan:

- A. To comprehensively redevelop the Lafayette Park I Study Area by the elimination of negative and blighting influences and by providing new construction and site improvements where appropriate.
- B. To provide for a variety of residential uses and housing types for both existing residents prospective occupants in order to meet the housing needs of low, moderate, and upper income households.
- C. To provide for the improvement of the functional and physical layout of the project area for contemplated redevelopment and the removal of impediments for land disposition.
- D. Make sustainability and smart growth a theme of future development and redevelopment that guides land use and transportation decisions.
- E. To construct new housing for home ownership through a combination of private development financing and the selective use of public assistance.
- F. Provide for a wide variety of housing types, sizes, and price points that meet the needs of Jersey City's diverse population.

- G. Encourage the adaptive reuse of existing structures.
- H. To provide for the maximization of private investment through the attraction of qualified developers capable of securing private financing commitments.
- I. To promote balanced development in accordance with applicable State laws and City requirements regarding affordable housing.
- J. To provide for the stabilization and the increase of the tax base of the project area and the entire city by redeveloping nonrevenue producing areas and by reestablishing investment confidence on the part of existing and future residents both within the area and in contiguous neighborhoods.
- K. Creation of new employment, housing, educational, recreational, commercial and retail opportunities for the residents of Jersey City.
- L. Encourage buildings to meet or exceed the US Green Building Council's LEED (Leadership in Energy and Environmental Design) Certification or equivalent.
- M. To provide for the coordination of redevelopment activities to promote a uniform attack on blight which reinforces already existing renewal and improvement programs in accordance with a plan that integrates the Lafayette Park I Study Area with the existing physical and social fabric of the City of Jersey City.
- N. To provide where necessary site improvements for both proposed and existing residential uses including new streets and sidewalks, street realignment, off street parking, open space, pedestrian malls, recreational areas and new trees where appropriate.
- O. The overall improvement of traffic circulation through the development of new and improved vehicular and pedestrian circulation systems which provide for separation of vehicular and pedestrian traffic and the maximum use of public transportation.
- P. Reduce automobile dependency by encouraging high density development in close proximity to mass transit and neighborhood services with low automobile parking ratios and with bicycle parking requirements.
- Q. Make walking and biking easy, safe, desirable, and convenient modes of transport.
- R. To maximize developer participation and contribution in the Lafayette Park I Redevelopment Plan.
- S. Encourage unique local quality retail sales and services that promote community character and distinctiveness.

- T. To promote balanced development in accordance with the Fair Housing Act, NJSA 52:27D, and the Housing Element and Fair Share Plan of the City of Jersey City Master Plan.
- U. Leverage new transit facilities such as light rail to accommodate housing and employment needs.
- V. Establish minimum stormwater management requirements and controls for development in order to reduce pollution from municipal sewer systems, direct discharges to surface waters, and combined sewer overflows, and to reduce flooding and erosion, enhance groundwater recharge, and promote rainwater harvesting.
- W. To promote pluvial and coastal flood control.
- X. Reflect the goals and objectives of the New Jersey Municipal Land Use Law (M.L.U.L.).

### **III) TRANSPORTATION**

The district has been served by the NJ Transit Hudson-Bergen Light Rail via the Liberty State Park station since 2001. Additionally, four bus lines provide service to and from the area:

- Montgomery & West Side 440 Shopper (Lafayette Avenue- Journal Square)
- Coach USA 4 (Merritt St - Grove St - Newport Centre)
- NJ Transit 6 (via Communipaw Avenue)
- NJ Transit 81 (via Pacific Avenue)

### **IV) TYPES OF PROPOSED REDEVELOPMENT ACTIONS**

It is proposed to substantially improve and upgrade the Lafayette Park I Study Area through a combination of redevelopment actions. These will include but not be limited to

- A) Retention and construction of sound compatible uses.
- B) Assembly into developable parcels the vacant and underutilized land now in scattered and varied ownership.
- C) Provisions for a full range of public infrastructure necessary to service and support the new community.

### **V) GENERAL REQUIREMENTS**

- A) Submission of Redevelopment Proposals -Prior to commencement of construction, architectural drawings, specifications, and site plans for the construction of improvements

to the Redevelopment Area shall be submitted by the developers for review and approval by the Planning Board of the City of Jersey City, and by the Board of Commissioners of the Jersey City Redevelopment Agency.

B) Adverse Influences - No use or reuse shall be permitted, which when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbance, radiation, smoke, cinders, odors, obnoxious dust or waste, undue noise or vibration, or other objectionable features so as to be detrimental to the public health, safety or general welfare.

C) Restriction of Occupancy or Use -There shall be no restriction of occupancy or use of the project area on the basis of race, creed, color or national origin.

#### D) DESIGN REQUIREMENTS

1) All structures within the project area shall be situated with proper consideration of their relationship to other buildings, both existing and proposed, in terms of light, air and usable open space, access to public rights-of-way and off-street parking, height, bulk, and street alignment.

2) Groups of related buildings shall be designed to present a harmonious appearance in terms of architectural style and exterior materials and shall be encouraged to incorporate historic elements found throughout the surrounding area.

3) Buildings shall be designed so as to have an attractive, finished appearance when viewed from all vantage points within and outside of the project area. Front façades, façades which are visible from a public right-of-way, and all façades that are significantly taller than adjacent buildings or are visible as part of the skyline shall be treated with equal importance in material selection and architectural design.

4) Large blank walls without fenestration surrounding large residential or commercial uses such as theatres, parking garages, big box retail, or similar uses must incorporate façade relief, an expressed structural system, sculpted, carved or penetrated wall surfaces, architectural lighting, or other architectural techniques to provide visual interest.

5) Access by the elderly, physically handicapped and/or disabled shall meet barrier free design regulations as specified in the New Jersey and Federal ADA Standard Uniform Construction Code.

6) All utility distribution lines, including multi-media telecommunication lines and utility service connections from such lines to the project area's individual use shall be located underground.

7) Roof deck enclosures: 20% of ADA accessible roof deck areas may be an enclosed amenity space. Enclosed roof deck amenity space must be a minimum of 10 feet from

the edge of the roof or parapet, and be centered on the roof to minimize view of the enclosure to the greatest extent practical. Enclosed roof deck amenity space may extend to the edge of a building with the minimum area necessary to gain access to an elevator or stair entry. All walls of the enclosed amenity space greater than 10 feet from the edge of roof or parapet shall be a minimum of 80% glazing. Maximum floor to top of roof structure shall be 10 feet.

8) Roof treatment, Mechanical Screening and Electrical Equipment

- a) All mechanical equipment located on any roof of a building shall be screened from view from all vantage points, with a material complementary with the façade of the structure. The screening shall not resemble a utility or rooftop elevator or stair tower.
- b) A roof plan must be developed and submitted for approval. Roof plans shall include mechanical equipment, trellises to obscure view, colored roof patterns and landscaping. Parking deck roofs shall be designed to maximize recreational amenity space and all remaining rooftop areas shall be developed as a green roof.
- c) All electrical communication equipment shall be located in such a way that it does not negatively impact the appearance of the building nor create objectionable views as seen from surrounding structures.
- d) Transformers and primary or and back-up generators shall be located interior to the building or vaulted underground within the pavement area of an adjacent street. Location upon the sidewalk, between the sidewalk and the building, or anywhere outside at grade is not permitted.
- e) The placement of all new or reconstructed signal boxes is required to be below grade.

9) Streetscape

- a) All buildings shall be designed to front on a public street to create a street wall and a pedestrian environment at a human scale.
- b) Main entrances into buildings shall be located on all public streets. Secondary entrances shall also be provided from parking areas and/or as necessary according to the design of the structure.
- c) Entrances shall be designed to be attractive and functional. Indicators such as awning, changes in sidewalk paving material or other indicator consistent with the design, proportions, material and character of the surrounding area shall be provided.
- d) Automobile parking between the building line and a public right-of-way is expressly prohibited, even where surface parking is a permitted use. Parking is not permitted in any front yard.
- e) Porte-cocheres and drop-off lanes are prohibited.

10) All façade vents for air conditioning or heating units must be incorporated into the window design such that vent grills and windows appear as a single unit. This is best achieved by lining up vent grills with the vertical or horizontal edge of the adjacent



window and matching the window's length or width or using a spandrel panel to fill any voids.

11) Facade Composition Requirement: Windows or window bays (a definable shape within the facade composition which includes a window, along with portions of the exterior wall) shall be sized, aligned, and spaced apart such that the facade area between windows or window bays form a visual column or spandrel. The Planning Board may grant a waiver from this method for superior design.

12) All new sidewalk concrete shall be tinted charcoal grey or equivalent. The Planning Board may grant a waiver for superior design which relates to adjacent architecture or other public purpose.

13) All storefronts shall incorporate a cornice element or horizontal projection above the storefront glazing separating ground floor uses from the building above.

14) Ground floor storefront bulkheads below the display windows shall be a maximum of 16 inches in height above sidewalk grade.

15) All storefront façades shall incorporate a minimum of 70% transparent glass.

16) Storefront windows shall not be blocked by any interior display case or other form of barrier. Pedestrians on the street shall have the ability to see into the shop and view the activity within.

17) All ground floor entryways shall be recessed or designed to avoid door swings into any public right-of-way.

#### E) CIRCULATION AND OPEN SPACE DESIGN

1) Unless paved, all open space areas shall be landscaped and maintained in an attractive condition and include stormwater infiltration areas according to VI.E (5);

2) Open spaces for both residential rehabilitation and new construction shall be provided where feasible and be so located as to provide for maximum usability by tenants, and to create a harmonious relationship of buildings and open space throughout the project area;

3) Sidewalk areas shall be adequately provided for the movements of pedestrians through and around the site;

4) Sidewalk areas shall be attractively landscaped and durably paved, where feasible with permeable materials, and shall be provided with adequate lighting;

- 5) Trees and shrubs shall be planted along the curbline at not more than twenty five (25) foot centers or in groupings, in a regularly spaced pattern to further increase the aesthetic quality of redevelopment activities. All street trees shall be in accordance with the design standards in Chapter 345-66.B of the Jersey City Municipal Code. In the event a street tree is removed for construction, required repair/replacement, or for any other purpose, restoration of a street tree is required in accordance with the design standards in Chapter 345-66.B of the Municipal Code;
- 6) Areas designated as improved open space shall be in addition to all parking, loading, yard and setback requirements.

#### F) OFF STREET PARKING AND LOADING

- 1) Parking structures shall be designed to eliminate headlight glare by the provision of opaque screening for head lights and placement of interior garage lighting to be directed into the structure and/or mounted on the interior side of columns so as to prevent glare from such lighting to be visible from the street or adjacent property. Light fixture details and location shall be included within the garage floor plan at the time of site plan application.
- 2) The façade of all parking levels shall be of a compatible material to that used throughout the development or adjacent structures and shall be designed to provide visual interest.
- 3) All openings must be screened with glass or decorative façade materials. Any openings shall be in a vertical proportion. Open horizontal bands along the façade of any parking structure are prohibited.
- 4) Exterior lighting of the screening materials on a parking structure façade may be required by the Planning Board in order to provide additional visual interest in terms of light and shadow and to further mask the interior lighting of the parking structure and headlight glare.
- 5) Parking stall and aisle size requirements are pursuant to the regulations found in the Jersey City Land Development Ordinance.
- 6) Off-street parking and loading areas shall be coordinated with the public street system serving the project area in order to avoid conflicts with through traffic or obstruction of pedestrian walks and thoroughfares.
- 7) Surface parking lots (where permitted) and all loading areas shall provide a screen planting of dense evergreens along any street line and along all property lines except those instances where a building intervenes or where the proposed planting may interfere with sight triangles. Within the parking area, a minimum of three percent (3%) of the parking area shall be landscaped and maintained with shrubs no higher than

three (3) feet and trees with branches no lower than six (6) so that the landscaping is dispersed throughout the parking area.

8) The number and design of off-street loading spaces shall be demonstrated by an applicant according to an anticipated need. All freight loading activities are encouraged to be restricted to early morning and/or late evening hours. The design and number of off-street loading shall be regulated by the Jersey City Land Development Ordinance.

9) For through lots there shall be no more than two vehicular access points, one from each right-of-way. All other lots shall have no more than one vehicular access point.

10) All developments which propose valet parking shall submit a parking management plan. Such plan shall include but not be limited to: number of vehicles to be parked, number of rows of cars to be stacked, all parking stall and aisle widths and any other information deemed necessary to effectively evaluate the management plan. All parking management plans shall be subject to review and approval of the Division of Traffic Engineering, the Division of City Planning and the Planning Board. Valet parking schemes shall not be permitted to increase the total number of parked cars above the maximum number of permitted spaces.

11) Bicycle Parking Provisions: Bicycle parking shall be provided pursuant to the requirements found in the Jersey City Land Development Ordinance.

12) All non-enclosed parking areas, including surface parking, parking spaces, driveways, and any type of patio, shall be constructed using pervious paving materials. The following are acceptable materials:

- a. Interlocking concrete blocks
- b. Permeable Pavers
- c. Open-celled pavers
- d. Porous pavement, concrete or asphalt
- e. Reinforced lawn
- f. Other material deemed appropriate by Planning/Zoning Board.

13) Access easements shall be maintained as represented in Map 3, unless upon written approval by all property owners impacted on that block for elimination of that portion of the easement. Maintenance and upkeep of such easements shall be the responsibility of the respective property owner for each lot. The establishment of HOAs or a Special Improvement District for each block is encouraged to facilitate the long-term maintenance of alley easements.

14) New curb cuts are prohibited on Grand Street, Johnston Avenue and Pacific Avenue.

#### G) LANDSCAPE DESIGN

1) All open space, including yards, shall be landscaped with lawns, trees, shrubbery and other appropriate plant material unless said open space is specifically designated for other activities which require paving or other treatment. Material shall be planted, balled and burlapped and be heavy and of specimen quality as established by the American Association of Nurserymen. Other plant materials shall be heavy, and of specimen quality determined as above. All trees shall be a minimum of three and one half (3.5) inches in caliper. All plants, trees and shrubs shall be installed in accordance with planting schedules approved by the Planning Board during site plan review.

2) At least 50% of the portion of the lot not covered by the building footprint shall be landscaped with one of the following materials:

a. Green ground cover, including plantings. Plants shall be native, non-invasive and proven drought resistant in an urban environment.

b. Rain gardens/Bioswales

3) Any landscaping which is not resistant to the environment or dies within 2 years of planting shall be replaced by the developer.

4) Street trees shall be planted along curb lines of streets in a regular pattern, spaced at one-half the mature spread of the tree canopy to further enhance the aesthetic quality of the redevelopment area. All trees shall be a minimum of three (3) inches in caliper.

5) All landscaping bordering on a public right-of-way shall be fully enclosed by curb or seating wall constructed of a masonry or metal material with a minimum of 6 inch in height. Landscaping shall be elevated to match the height of the curb or seating wall.

3) Prior to commencement of construction, architectural drawings, specifications, and site plans for the construction of improvements to the project area shall be submitted by the developers to the Board of Commissioners of the Jersey City Redevelopment Agency and to the Planning Board of the City of Jersey City for review and approval so that compliance of such drawings, specifications, and plans to the Redevelopment objectives can be determined.

#### H) LIGHTING

1) Lighting within the site shall sufficiently illuminate all areas, including those areas where buildings are setback or offset to prevent dark corners.

2) All lighting sources must be adequately shielded to avoid any off-site glare. The area of illumination shall have a uniform pattern of at least one-half (0.5) foot candles.

#### I) BUILDING MATERIALS REQUIREMENTS

- 1) Synthetic stucco materials such as EIFS are prohibited on any facade along a public right-of-way. Any stucco material used must be fine grained with a smooth stipple finish to reflect a more stone like appearance and qualities of light reflection.
- 2) Split face concrete block or other concrete masonry units may only be used as an accent material, not to exceed 15% of any facade.
- 3) Front cantilevered balconies may project no more than 12 inches from the façade.
- 4) Use of chain link fencing, razor wire, barbed wire, or other similar security devices is expressly prohibited. Chain linked fencing may be temporality utilized during construction only.
- 5) Security Gates: All front security gates shall be completely composed of the open mesh type, except for two feet at the bottom of the gate which may be solid. Storage boxes for all security gates shall be mounted on the interior of the building. Gate tracks shall be recessed into the glazing reveal and the gate housing shall be flush with the plane of the storefront. No storage box, tracks or mechanical devices related to the gates may project from the plane of the storefront.

#### J) SIGNAGE

- 1) Signage Approval Process
  - (i) All signs are subject to site plan review when included as part of a major site plan application.
  - (ii) All temporary banner signs for marketing projects on site shall be considered as an interim use.
  - (iii) All new signage that complies with the redevelopment plan shall not require site plan approval.
  - (iv) Minor Site Plan application with deviation must be submitted to the Planning Board for all non-conforming sign proposals.
  - (v) During construction, one (1) temporary sign indicating: the name of the project or development, general contractor, subcontractor, financing institution and public entity officials (where applicable) shall be permitted. The sign area shall not exceed forty (40) square feet.
- 2) Number and Size of Signage
  - (i) The building address is required to be placed on either the main entry door, transom window, building, or awning flap at a maximum font height of 10 inches.
  - (ii) Sign requirements for ground floor uses:

- Each use fronting on a public street may be permitted one (1) exterior sign per store front bay on each street frontage.
  - Maximum sign height shall be 32 inches or the height of the architectural sign band in the building's facade or transom window.
- (iii) Sign requirements for all other uses:
- Each use fronting on a public street may be permitted one (1) exterior sign per entryway per street frontage. Buildings with multiple uses shall have no more than one (1) sign per use.
  - The total exterior sign area shall not exceed the equivalent of 5 percent of the first story portion of the wall to which it is attached. In no case shall a sign on any structure exceed 20 square feet.
- 3) Sign Design Requirements
- (i) Window signs, lettering or logos shall cover no more than twenty (20%) of the window area.
- 4) Parking Garage Signage
- (i) One (1) sign shall be provided per entrance to garages indicating the parking facility by the international parking symbol and direction arrow. The sign area shall not exceed twenty (20) square feet. If applicable, one (1) sign per entrance may be allowed indicating parking rates, not to exceed eight (8) square feet.
- (ii) Portable signs are not permitted for parking garages.
- 5) Prohibited Signs
- (i) Billboards.
- (ii) Portable advertising signs not associated with use within 10 feet are strictly prohibited.

## **VI) GENERAL PROVISIONS**

- A) The regulations and controls in this Section will be implemented where applicable by appropriate covenants, or other provisions, or agreements for land disposition and conveyance executed pursuant thereto.
- B) The developer shall begin and complete the development of the land and the construction of improvements agreed upon in the disposition contract within a reasonable amount of time as determined in the said disposition contract between the Jersey City Redevelopment Agency and the designated redeveloper.
- C) Upon demolition of existing structures, the site shall be graded and planted or sodded, with a durable dust free surface in the interim period prior to construction of new buildings.
- D) The redeveloper shall agree to retain the interest acquired in the project land until the completion of the construction and development in the area required by this Plan and

the disposition instruments, and the redeveloper shall further agree not to sell, lease, or otherwise transfer the interest acquired or any part thereof without prior written approval of the Jersey City Redevelopment Agency.

E) No covenant, lease, conveyance or other instrument shall be affected or executed by the Jersey City Redevelopment Agency or by a redeveloper or any of his successors or assignees, whereby land within the project area is restricted by the Jersey City Redevelopment Agency or the redeveloper upon the basis of race, creed, color or national origin in the sale, lease, use or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments.

F) No building shall be constructed over an easement in the project area without prior written approval of the Jersey City Redevelopment Agency.

G) No building shall be constructed over public rights-of-way in the project area with the exception of freestanding structures ancillary to public plazas and/or pedestrian walkways, which shall be subject to review by the Planning Board.

H) All residential redevelopment proposals and construction plans shall meet or exceed applicable FHA and building code minimum room size requirements prior to approval by the Planning Board.

I) Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with the requirements of this plan and the Land Development Ordinance (LDO) of Jersey City. A maximum shape factor may be listed to regulate minimum lot size. Shape factor is defined as the perimeter of the lot squared, divided by the lot area.

$$\frac{\text{Perimeter}^2}{\text{Lot area}} = \text{Shape Factor}$$

- 1) Example of how to calculate a shape factor for a standard 25' by 100' rectangular lot:

$$\frac{(25+25+100+100)^2}{2,500} = 25$$

J) Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements to the Area shall be submitted by the developer to the Planning Board of the City of Jersey City for review and approval so that compliance of such plans with the redevelopment objectives can be determined. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et. seq. Applications may be submitted for the entire project or in any number of phases.

K) All residential redevelopment proposals and construction plans shall meet minimum room size requirements as specified in the Jersey City Municipal Code prior to approval by the Redevelopment Agency and the Planning Board.

L) Site Plan Review prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements to the Area shall be submitted by the developer to the Planning Board of the City of Jersey City for review and approval so that compliance of such plans with the redevelopment objectives can be determined. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et. seq. Applications may be submitted for the entire project or in any number of phases.

M) As part of any site plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D-53 et seq. Such performance guarantees shall be in favor of the City in a form approved by the Jersey City Corporation Counsel. The amount of any such performance guarantees shall be determined by the City Engineer and shall be sufficient to assure completion of on and off site improvements within one (1) year of final site plan approval.

N) **DEVIATION REQUESTS**

The Planning Board may grant deviations from the regulations contained within this Redevelopment Plan, where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, pre-existing structures or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Redevelopment Plan, would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments. Deviations from the required retail use as per Section VII shall be considered a design waiver, cognizable by the Planning Board. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Redevelopment Plan.

No deviations may be granted which will result in permitting:

- 1) A use or principal structure in a district which does not permit such use or principal structure;
- 2) An expansion of a non-conforming use;
- 3) An increase in height of more than ten feet or 10% of the height in feet, whichever is less.
- 4) An increase in the permitted floor area ratio;
- 5) An increase in the parking ratio of more than 10% above the maximum permitted;
- 6) Right-of-way width, and pavement width beyond normal adjustments encountered during survey synchronization;



- 7) Non-completion of minimum open space, parks, or other type of phased improvements required to be implemented;
- 8) Deviation from the Impact Fees provisions set forth in this Plan; or
- 9) Non-compliance with the specific goals and objectives enumerated in the Plan.

Planning Board may grant deviations from the Required Land Use Regulations in section VII of this plan to further the goals and objectives of this plan.

Any deviation in the above categories or any other deviation that would otherwise constitute a "d" type variance or deviation constitutes a request for a legislative plan amendment cognizable only by the Governing Body. The Jersey City Zoning Board of Adjustment's powers are strictly limited to "a" and "b" appeals (N.J.S.A. 40:53D-70A&B).

O) Severability: If any word, phrase, clause, section or provision of this Plan shall be found by a court of competent jurisdiction to be invalid, illegal or unconstitutional, such word, phrase, clause, section or provision shall be deemed severable and the remainder of the ordinance shall remain in full force and effect.

P) Redevelopment shall provide adequate water, sewer and other necessary utilities to the site, to the satisfaction of the Municipal Engineer and the Municipal Utility Authority. All costs necessary for infrastructure improvements associated with a development project, off-site as well as on-site, are the responsibility of the developer or redeveloper.

Q) Interim Use: Interim uses may be established, subject to agreement by the developers with the Planning Board, that such uses will not have an adverse effect upon existing or contemplated development during the interim use period. Interim uses must be approved by the Planning Board, which may establish an interim use period of between one (1) year and three (3) years in duration, subject to the Planning Board's discretion. Additional renewals of an interim use may be granted by the Planning Board, subject to the same interim period limitations specified above.

## **VII) GENERAL LAND USE PLAN**

### **A) Land Use Provisions and Building Requirements**

#### **1. Required Land Use Regulations for all lots**

- a) **GROUND FLOOR RETAIL REQUIREMENT:** In buildings of four or more stories, ground floor retail and/or other permitted active storefront type uses, which activate the adjacent sidewalk, are required within 25 feet of the following street right-of-ways:

- 1) Grand Street
- 2) Pacific Avenue
- 3) Johnston Avenue.

- b) **AFFORDABLE HOUSING BONUS:** Developers of new construction may elect to increase the maximum density for the corresponding lot size up to twice that specified in Chapter VII: General Land Use Plan, Section 7. Area, Yard and Bulk Standards if the following conditions are met. Developers will be required to fulfill certain performance standards, including but not limited to the obligation to provide the community benefits of on-site affordable housing as described herein, for the successful implementation of the goals of the redevelopment plan. Subject to the terms and conditions of a redevelopment agreement with the Jersey City Redevelopment Agency (JCRA), developers will be required to dedicate a number of units as described herein as affordable housing for a period of a minimum of 30 years from the issuance of the certificate of occupancy, in accordance with the Fair Housing Act, N.J.S.A. 52:27D-301, et seq., and pursuant to the terms of the redevelopment agreement which shall set forth the controls on affordable housing to be constructed as part of a redevelopment project.
1. One (1) unit or fifteen percent (15%) of all residential units constructed, whichever is greater, in buildings with three to seven dwelling units.
  2. Three (3) units or fifteen percent (15%) of all residential units constructed, whichever is greater, in buildings with eight or more dwelling units.
- c) **RESILIENCY BONUS:** Subject to the conditions of a redeveloper agreement with the Jersey City Redevelopment Agency (JCRA), buildings shall be entitled a maximum height of twenty (20) feet and two stories above the applicable Maximum Permitted Height if at least one of the following resiliency measures is provided.
- 1) **Option A: *Resiliency Space.*** Applicant shall provide a backup “resiliency gathering space,” which shall be made publicly accessible in the case of an emergency. The space shall be supplied with generator power, and include provisions for warming stations, charging stations, emergency communications, potable water, emergency refrigerators for medical supplies, staging of rescue and recovery operations, etc. in the case of an emergency. The City of Jersey City shall reserve the right to publish the location of this space in emergency preparedness materials. The space shall be of at least 400 square feet, located on-site and above the projected 100-year flood level.

*The resiliency space shall not replace a formal evacuation center. When evacuation is ordered, residents should leave the property for the nearest designated evacuation center.*

- 2) Option B: *Emergency Storage Space*. Applicant shall provide a storage space for emergency response and resistance structures, including but not limited to deployable floodgates, retractable or mobile floodwalls, emergency generators, etc. as deemed necessary by the Jersey City Office of Emergency Management or any successors. This space shall be made accessible to City employees and contractors upon request and immediately in case of an emergency. The space shall be of at least 400 square feet, located on-site, but is NOT required to be located above ABFE.
- 3) Option C: *Community Garden*. Applicant shall provide a permanent easement for a publicly-accessible community garden that simultaneously captures stormwater from off-site, to be leased annually for \$1.00 to an entity unrelated to the property owner that operates under the model provided by the Adopt-a-lot Program administered by the Jersey City Department of Health and Human Services or any successors. If at any time a qualified leaseholder is unavailable, the site will be maintained as green space by the property owner until such time as a qualified tenant applies to the Adopt-a-Lot program. However, a qualified tenant must be identified and have committed to a lease of at least two (2) years beginning at the issuance of the Certificate of Occupancy in order to apply this bonus. The garden space, which shall have a total square footage of at least 10% of the total lot area, must be located on-site and above the projected 100-year flood level, and may be located partly or entirely on accessible roof areas.

In all cases where the Resiliency Bonus is applied, designs and provisions for that measure shall be included with the application. All relevant elements must be specifically indicated on site plans. These elements shall be maintained as specified above by the Property Owner and any future owners, and provisions for such maintenance included in a permanent deed restriction. This shall be enforced by the City Zoning Officer.

The specifics of the access, construction schedule, maintenance responsibilities, hours of public access, and duration of the resiliency measures shall be as set forth in the redeveloper agreement. The measures described in this section shall be maintained as specified above by the Property Owner and any future owners in perpetuity.

All applicants employing this bonus shall maintain a registration with the Jersey City Office of Emergency Management, or any successors, according to the following form. The contact person must reside on-site. Contact information shall be updated to reflect any changes and verified on a yearly basis.

Contact Name:

Address:

Phone Number:

Mobile Number:

Email:

Resiliency Measure Description:

The Planning Board shall determine at its discretion whether the requirements of the selected option have been satisfactorily met before granting this bonus.

- d) **STORMWATER REGULATIONS AND CONTROLS:** All new development of 5 or more units, regardless of lot size or area of disturbance, shall be considered a Major Development for the purposes of Jersey City's Stormwater Management Requirements (Jersey City Municipal Code §345-74), and shall be subject to all regulations included therein.

Recommended Stormwater Control Strategies:

Strategy:	Permitted (x) /Recommended (R):			
	Commercial Streets*	Mixed-use projects	Residential projects	Commercial projects
Bioswale/ Rain Garden	x	x	R	x
Enhanced Tree Pit	R	R	x	R
Permeable Sidewalk		x	R	x
Roof rainwater collection system	x	x	x	x
Cisterns	x			R

\*This includes Johnston Avenue, Pacific Avenue, and Grand Street.

The soil's water infiltration rate and the level of the water table at the site shall be determined by the applicant and provided to the Division of City Planning, with verification from a professional engineer that site conditions will allow the selected Stormwater Strategies to be effective as designed.

Any stormwater control facilities must be maintained and kept functional by the property owner and any future owners. This shall be enforced by the City Zoning Officer.

Where on-site conditions present an unusual hardship for stormwater capture, applicants may apply to construct offsite improvements (such as bumpouts, right-of-way bioswales, permeable streets, etc.) as approved by the relevant City

agency within the Redevelopment Plan area to capture an equivalent volume of stormwater. It shall be the responsibility of the applicant to demonstrate that the volume of stormwater offset by such improvements is equivalent. Such applications shall be evaluated on a case-by-case basis by the Planning Board.

The Design Engineer, who shall be a professional engineer licensed by the State of New Jersey at the time of construction, shall provide the following certification as a condition of Site Plan Approval and within 30 days of completion of the connection to sewer. This certification shall also be required to receive a Certificate of Occupancy.

*I hereby certify that the proposed Site Plan complies with the Jersey City Stormwater Control Ordinance and Jersey City's Stormwater Management Requirements for Major Developments (Jersey City Municipal Code §345-74) and that stormwater control measures were inspected and tested under my supervision. Construction was witnessed as required in the specifications.*

*The project was constructed in substantial conformance with the approved plans and specifications. Any minor exceptions to the approved plans and/or specifications are attached hereto with the approval of the permittee.*

e) FLOOD CONTROL REQUIREMENTS:

- 1) All construction materials installed below the 500-year flood elevation should be resistant to mold damage.
- 2) Backflow-prevention valves ("check valves") or other construction techniques (such as overhead sewers) to prevent sewer backup overflows are required for all new construction.
- 3) Mechanical, electrical, and plumbing services for all new construction must be located out of the ABFE, plus two (2) feet to account for future sea level rise. Necessary connections at ground level should be flood proofed. Electrical Service should be via a waterproof underground connection where feasible.
- 4) Where alleys exist, catch basins in the rear yard connecting to the municipal sewer system are required.

B) Permitted Principal Uses

- (a) Residential.
- (b) Public and private schools
- (c) Other public uses
- (d) Retail sales of goods and services on lots fronting on Grand Street, Pacific Avenue or Johnston Avenue.
- (e) Financial Services on lots fronting on Grand Street, Pacific Avenue or Johnston Avenue;
- (g) Restaurants Category 1 and 2 on lots fronting on Grand Street, Pacific Avenue or Johnston Avenue;
- (h) Offices and Medical Offices;
- (i) Artist Live/Work, Galleries, and Artist Studio Workspaces
- (j) Public utilities

C) Accessory Uses Permitted:

- (a) Off street parking
- (b) Recreation areas as part of a residential development and/or for public and private schools
- (c) Fences and walls
- (d) Designed open space
- (e) Professional offices as a home occupation

D) Maximum Permitted Height:

- (a) Buildings with one to seven residential units -- four (4) stories or forty (40) feet
- (b) Buildings with eight or more residential units -- six (6) stories or sixty (60) feet
- (c) Public and private schools – four (4) stories or forty (40) feet except that said building may have additional stories up to sixty (60) feet in height over not more than fifty (50) percent of the foundation area
- (d) Retail sales of goods and services without residential units – two (2) stories or twenty five (25) feet

E) Area, Yard and Bulk Standards:

(a) On lots of 0 square feet to 3,499 square feet

- (i) maximum building coverage seventy percent (70%)
- (ii) minimum lot depth one hundred (100) feet
- (iii) maximum density thirty five (35) dwelling units per acre
- (iv) minimum setbacks

front: Predominant

side: No requirement. Attached structures are not encouraged.

rear: twenty-five (25) feet

(v) shape factor maximum: twenty-eight (28)

(b) On lots of 3500 square feet and greater

- (i) maximum building coverage seventy-five percent (75%)
- (ii) minimum lot depth one hundred (100) feet
- (iii) minimum lot area 3,500 square feet
- (iv) maximum density seventy (70) dwelling units per acre
- (v) minimum setbacks:

Front: Predominant

Side: No Requirement. Attached structures are not encouraged.

Rear: 25 feet.

(vi) shape factor maximum: twenty-eight (28)

F) Maximum Off-Street Parking Spaces:

- (a) all residential uses shall provide off street parking at a ratio of not more than one (1) per each dwelling unit
- (b) professional office as a home occupation or ground floor commercial uses shall provide off street parking at a ratio of not more than one (1) per

each three hundred (100) square feet gross floor area devoted to the professional occupation

(c) public and private schools – one (1) for every two (2) teachers/teacher's aides grades K-10 + one (1) for every teacher/teacher's aide grades 11 and 12 + one (1) space for every six hundred (600) square feet gross floor area devoted to administrative office use

(d) Any other uses shall provide off street parking at a ratio of not more than 1.5 per 1000 square feet

G) Maximum Off street Loading – off street loading shall conform to Article VII. of the Zoning Ordinance of the City of Jersey City;

H) Lafayette Village Zone

All parcels in this zone shall adhere to the development standards of the R-3 Multi-family Mid-Rise District of the Jersey City Land Development Ordinance Article V; 345-42.

## **VIII) OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS**

The Local Redevelopment and Housing Law, N.J.S.A 40A:12A-1 et seq. requires that a Redevelopment Plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:

- 1) This Redevelopment Plan achieves the stated objectives of the Jersey City Master Plan by locating high density development in close proximity to mass transit facilities with low parking ratios to reduce the traffic impact of future high density development. Other uses such as retail and office uses compatible with a mixed use transit oriented station area are permitted.
- 2) This Redevelopment Plan provides for a list of permitted principal uses, as well as accessory uses and prohibited uses in the redevelopment area. The plan also provides for density restriction through the use of lots sizes, maximum height limits, as well as setback and stepback requirements and various design controls.
- 3) There will be no displacement of existing residents through the implementation of this plan through condemnation, as this is an area in need of rehabilitation and condemnation is not permitted. Any condemnation action already commenced by the Jersey City Redevelopment Agency may continue. The condemnation of easements in areas previously declared in need of redevelopment may be pursued by the Jersey City Redevelopment Agency.
- 4) The Lafayette Park Redevelopment Plan proposes no new acquisition or condemnation of private property for private redevelopment purposes, however the condemnation of



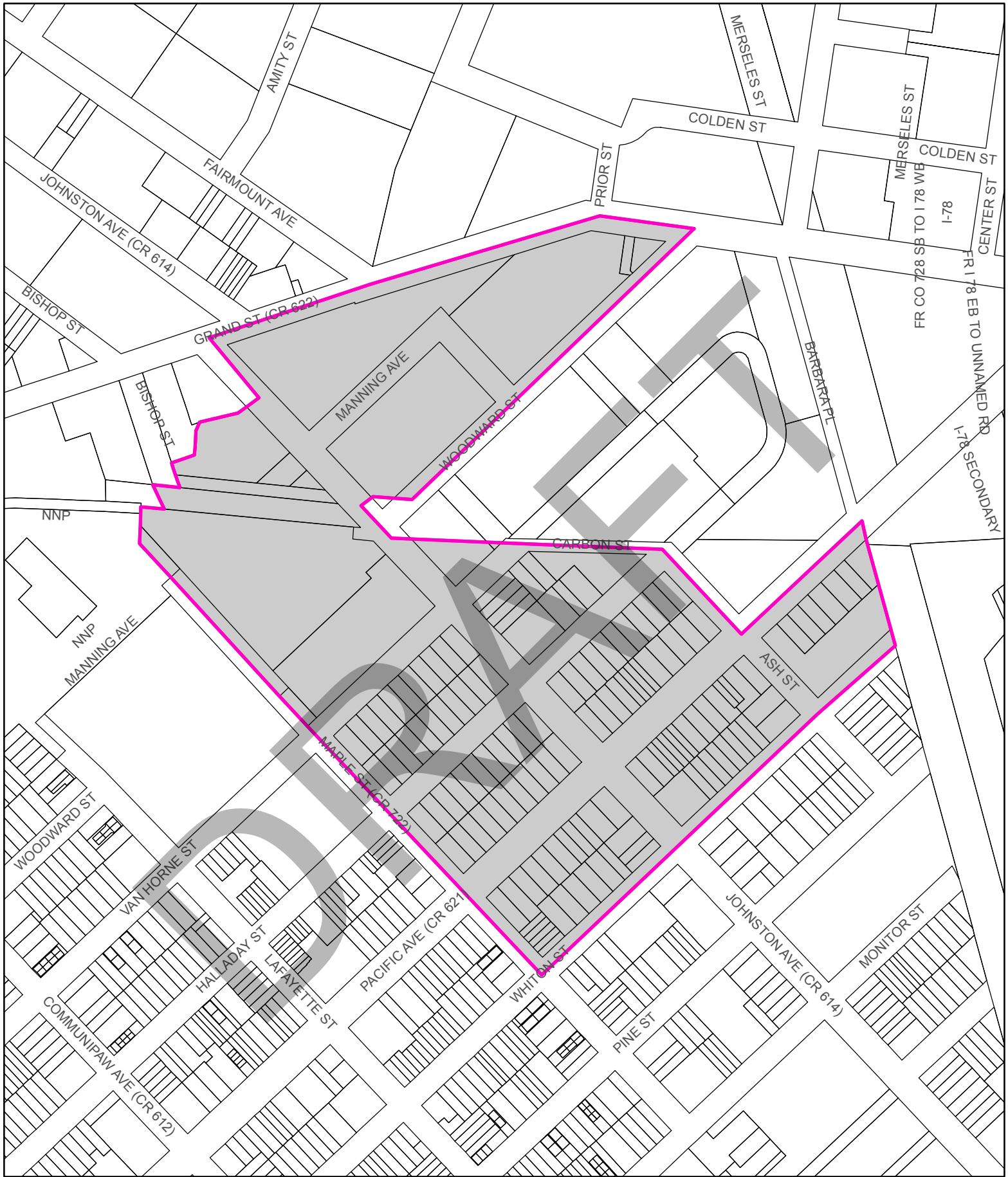
easements in areas previously declared in need of redevelopment may be pursued by the Jersey City Redevelopment Agency.

- 5) Jersey City is designated as a "Planning Area 1" in the State Plan and is at the center of the Hudson County "urban complex." The development envisioned by this plan is in conformity with the "State Planning Act" P.L. 1985, c. 398 (C.52:18A-196 et al) as well as the master plan of Hudson County and all contiguous municipalities.
- 6) No affordable units are identified to be removed as part of the implementation of this redevelopment plan.
- 7) No affordable units are identified to be removed as part of the implementation of this redevelopment plan.

## **IX) PROCEDURE FOR AMENDING THE APPROVED PLAN**

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of law.

A fee of one thousand dollars (\$1000) plus all costs for copying and transcripts shall be payable to the City of Jersey City for any request to amend this plan. If the amendment request originates with the City's development offices, the fee and costs shall be waived.



# LAFAYETTE PARK REDEVELOPMENT PLAN

## MAP 1: BOUNDARY MAP

APRIL 15, 2016

0 150 300 600 Feet

1 inch = 300 feet

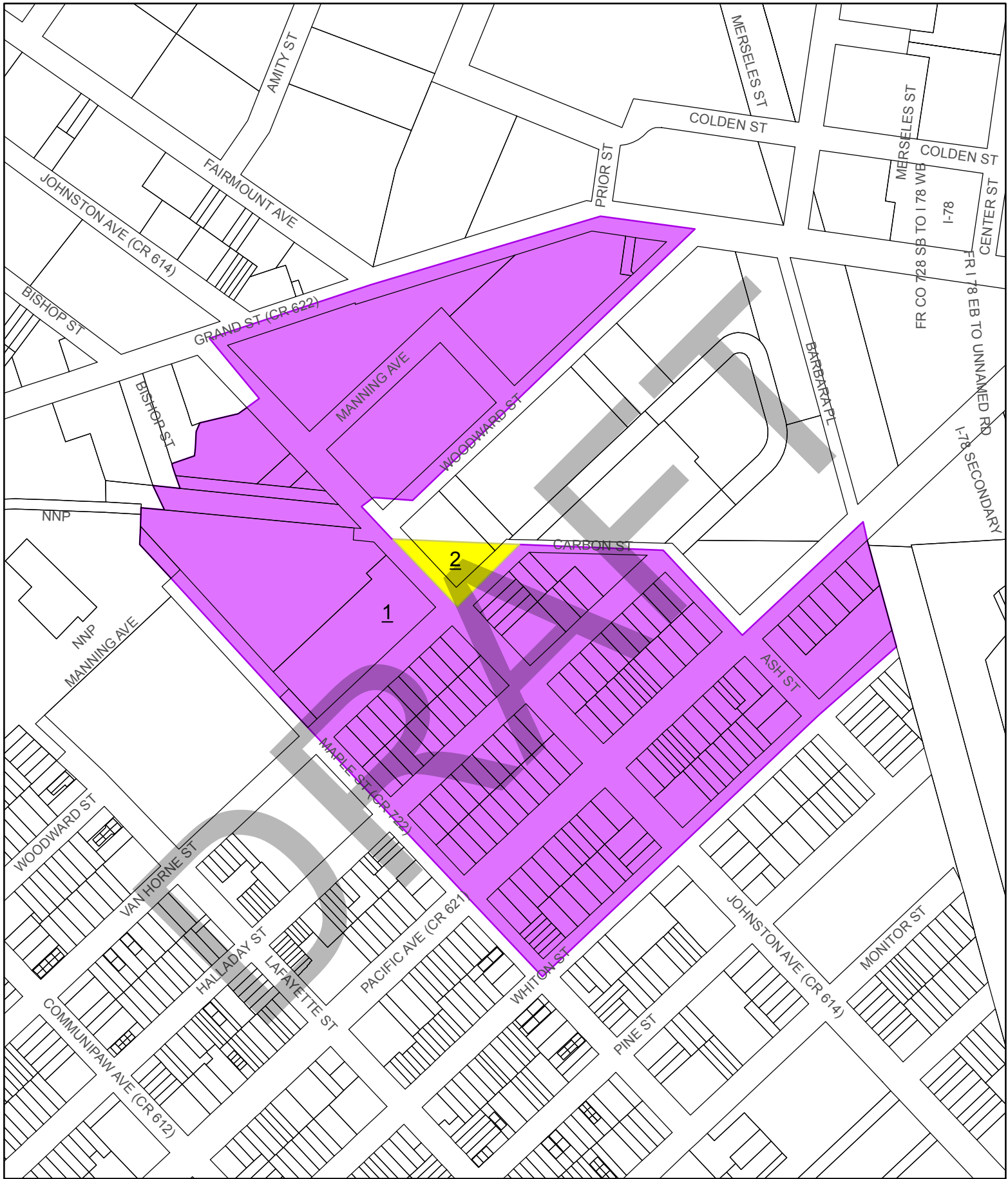


### LEGEND

Plan Area Boundary



30 Montgomery Street Suite 1400  
Jersey City, NJ 07302-3821  
Phone: 201.547.5010  
Fax: 201.547.4323

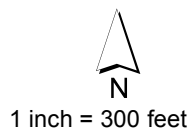


# LAFAYETTE PARK REDEVELOPMENT PLAN

## MAP 2: LAND USE MAP

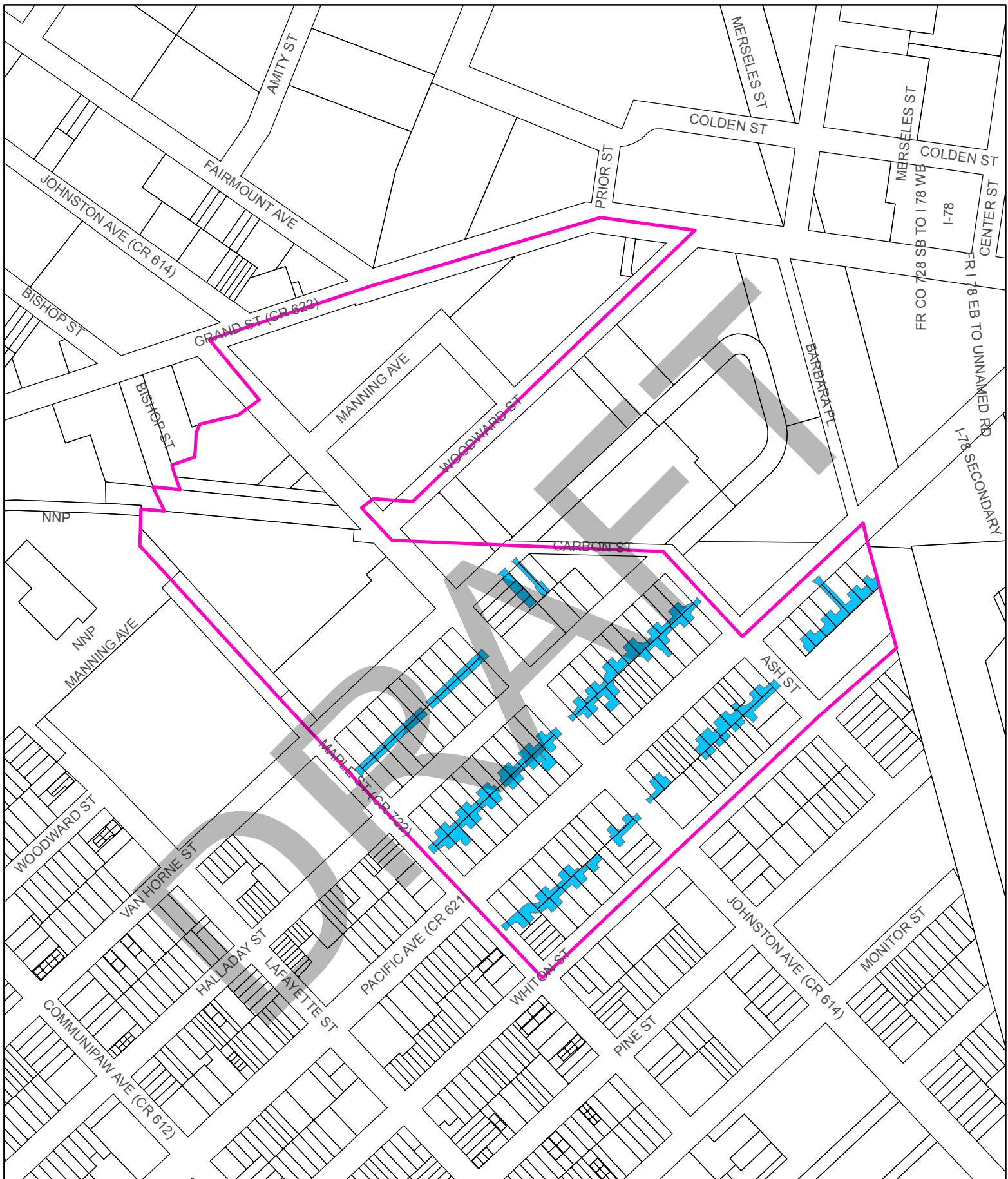
APRIL 15, 2016

0 150 300 600 Feet



### LAND USE

- 1 Lafayette Park Redevelopment Plan Zone
- 2 R-3 (Per Chapter 345-42 of the LDO)



# LAFAYETTE PARK REDEVELOPMENT PLAN

## MAP 3: ALLEY MAP

APRIL 20, 2016

0 150 300 600 Feet

1 inch = 300 feet



### LEGEND

- Alley (Access Easements)
- Plan Area Boundary